



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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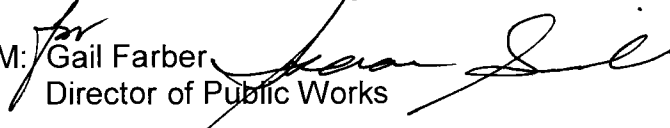
October 6, 2014

IN REPLY PLEASE

REFER TO FILE: **AS-0
A4158**

TO: Supervisor Zev Yaroslavsky

Attention Maria Chong-Castillo

FROM:  Gail Farber
Director of Public Works

SOLICITATION FOR GRAFFITI REMOVAL SERVICES TO URBAN GRAFFITI ENTERPRISES

As requested, we reviewed the letter you forwarded from Barry K. Woods of Woods Maintenance Services, Inc., d.b.a. Graffiti Control Systems. Mr. Woods' company was not awarded the graffiti removal services contract because they received an overall score of 86.24 compared to Urban Graffiti Enterprises' score of 94.08 based on the criteria detailed in the Request for Proposals. Both contractors' proposals met the requirements in the Request for Proposals.

The County has provisions in the contract to address contractor performance issues. For this service Public Works monitors contractors through performance audits and contract performance evaluations on a routine basis. Also, since this is a Proposition A contract, our Living Wage Unit will be monitoring the payroll records of the assigned staff to ensure the contractor is paying the staff correctly for both travel time and the required 8-hour-per-day shifts.

Urban Graffiti Enterprises is one of our current contractors and has a long history with Public Works. They are in good standing on all contracts and have an excellent quality control program.

Public Works conducted a fair and equitable evaluation procedure and is recommending award to the most qualified, responsive, responsible, and lowest-priced proposer.

Attached is a draft letter you may wish to send to Mr. Woods. If you have any questions, please call me or your staff may contact Diane McGiffen at (626) 458-4010.

JC:cg

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Attach.

cc: Supervisor Gloria Molina, Supervisor Mark Ridley-Thomas, Supervisor Don Knabe,
Supervisor Michael D. Antonovich

DRAFT

October 6, 2014

Mr. Barry K. Woods
Woods Maintenance Services, Inc.,
d.b.a. Graffiti Control Systems
7260 Atoll Avenue
North Hollywood, CA 91605

Dear Mr. Woods:

**SOLICITATION FOR GRAFFITI REMOVAL SERVICES
TO URBAN GRAFFITI ENTERPRISES**

I received your e-mail dated September 22, 2014, asserting that the recommended contractor, Urban Graffiti Enterprises (UGE), for the graffiti removal services solicitation does not have the required number of vehicles, equipment, or staff to meet the Request for Proposals' (RFP) requirements. Your e-mail also stated that there may be a cause for concern regarding the distance from UGE's home base to the jobsite and their past performance.

Public Works evaluated UGE's proposal, and it met all requirements outlined in the RFP, including staffing, vehicles, and equipment. Their proposal indicated that the crews will work the obligatory number of hours, and they will provide the vehicles/equipment specified in the RFP. It is UGE's responsibility to ensure they account for all costs in their proposal.

Additionally, the evaluation committee was aware of UGE's past performance issues and took it into consideration along with the other rating factors. For this service Public Works monitors contractors through performance audits and contract performance evaluations on a routine basis. Please be assured that Public Works will monitor UGE's performance as well as all other contractors doing business with the County to ensure adherence to contract requirements.

Based on this information, I believe Public Works performed a fair and equitable evaluation procedure and is recommending award to the most qualified, responsive, responsible, and lowest-priced proposer.

Mr. Barry K. Woods
October 6, 2014
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Thank you for expressing your concerns. We wish you continued success in future contracting opportunities with the County of Los Angeles.

Sincerely,

ZEV YAROSLAVSKY
Supervisor, Third District

ZY:cg

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cc: Department of Public Works

Subject: FW: Public Works Solicitation 2014-PA027

A-Memo 4158
ASD

Hello Gentlemen,

Please read below, I need a draft-response. However, I would like to know the reason they were not selected... thank you.

Maria Chong-Castillo

Assistant Chief of Staff

Office of Supervisor Zev Yaroslavsky

Hall of Administration 821

500 West Temple Street

Los Angeles, Ca 90012

213-974-3333

From: Barry Woods [mailto:info@bestmaliburental.com]

Sent: Monday, September 22, 2014 2:00 PM

To: Yaroslavsky, Zev

Subject: Public Works Solicitation 2014-PA027

Dear Supervisor Yaroslavsky,

I wanted to write you to provide additional information to the Los Angeles County Department of Public Works in reference to its recent solicitation 2014-PA027, which has been recommended for award to Urban Graffiti Enterprises.

Woods Maintenance Services, Inc., dba Graffiti Control Systems, has been performing graffiti removal services for the Los Angeles County Department of Public Works for over 20 years and specifically the West Channel Area for over 9 years. We are currently invoicing the County approximately \$71,500 per year, per full time crew, and we are fielding 4 crews, per the contract.

The new solicitation requires *6 full time crews*, and we submitted our bid at roughly an 8.5% discount from our current contract (\$65,500/crew for a total of \$393,000 for 6 full time crew members). Graffiti Control Systems was able to give the County a deep discount not only because we are very familiar with the areas, having provided excellent service for many years, and having our office located in the West Area, but because we already have the vehicles and equipment paid for that are employed on this contract. For all of those reasons, Graffiti Control Systems was able to provide to the County what we believe is not only a fair price, but, realistically, the lowest price that a reputable contractor could perform *successfully* under this contract.

It is our belief that Urban Graffiti Enterprises does not have the required 6 vehicles, 6 paint sprayers, and 1 pressure washing machine—as required by the specifications—available for use on this contract. Based on Urban's history, we don't believe it is their intention to field 6 full time crews on the West Channel contract at the low price at which they bid. Further, the fuel costs and wear and tear on their trucks for running 6 vehicles from their office in Azusa to the West Area will be much greater than ours, as each of their vehicles will have to travel a minimum of 80 miles daily, and realistically, closer to 120, as part of their daily round trip.

Either the County will have 2 less hours of work daily to allow for transit time, or the contractor will be paying a great amount of overtime to staff for portal to portal labor. Neither one of these are viable given the low rates bid by Urban. (As an aside, Urban is also the recommended contractor for the South Area which makes us even

more suspect about their true intentions because it is extremely unlikely that the company has 12 fully equipped vehicles available for both projects.)

Just as Urban has done in the *very recent past* with the City of Anaheim and the County of Orange Flood Control Channels (a very similar scope to this procurement,) they bid low and hope to get by with significantly less crews than are required by the contract and promised by the contractor. If they are successful in providing fewer crews than contracted for, Urban reaps an enormous profit and LA County loses, as it is paying for work that is not being done and for crews that do not exist. If they are unsuccessful at this game, Urban simply walks off the contract, leaving the County holding the bag, just as it did in Anaheim and Orange County.

We would ask that instead of relying solely on the references provided by Urban, that the County also make inquiries of their own in regard to contracts with the City of Anaheim and County of Orange. Last month, The City of Santa Monica opted NOT to use Urban on their most recent procurement, after learning of the deficiencies in Orange County and Anaheim.

The contact at Orange County is Forest DeSpain. His contact info is: 714-955-0347 office; 714-448-0220 mobile. Forrest's email is: forrest.DeSpain@ocpw.ocgov.com

The contact in Anaheim is Matt Letteriello, Senior Code Enforcement Officer, and his phone number is 714-765-4446. His email is mletteriello@anaheim.net

Graffiti Control Systems would also like to remind the County that based on what we learned from our informal telephonic debriefing, we scored 44.5 out of a possible 45 points in the following areas: History/References; Experience; Work Plan; Equipment.

It is apparent to us that the *only reason* we were not recommended for award was our price. Based on the detailed reasons above, we don't believe we were beaten on price by a responsive and responsible bid. We believe we were beaten by a low-ball bidder, who cannot possibly perform the contract specifications at the rates indicated.

Thank you for your consideration in this matter.

Barry K. Woods
President

<image.png>
(o) 818.503.8240
(f) 818.764.2516
(c) 818.339.5544

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North Hollywood, CA 91605
bkw@graffiticontrol.com
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cc: Gloria Molina, Mark Ridley Thomas, Don Knabe, Michael Antonovich, Arienne DeChellis, Scott Pham